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Docket No.: 28053/38258
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

File only

Applicants:) I hereby certify that this paper is being
) deposited with the U.S. Postal Service
Patricia L. CONWAY et al.) as First Class Mail in an envelope,
) postage prepaid, addressed to the Mail
Serial No.: 09/889,085) Stop Amendment, Commissioner for
) Patents, P.O. Box 1450, Alexandria,
Filed: January 9, 2002) VA 22313-1450 on this date:
)
For: IMPROVED MICROBIAL) February 22, 2005
PREPARATIONS)
)
Group Art Unit: 1651) Jeffrey S. Sharp
) Registration No. 31,879
Examiner: Vera Afremova) Attorney for Applicants

RESPONSE UNDER 37 C.F.R. §1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action of August 24, 2004 in which all pending claims (41 and 76-153) remained rejected under 35 U.S.C. §§ 102(b), and 103(a), and under the judicially created doctrine of double patenting. Reconsideration of the rejection is solicited for the reasons set out below. This response is timely filed as a petition for a three-months extension of time to February 24, 2005 is submitted herewith.

A copy of the pending Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
13	2855
FEE CODE	VALUE FURNISHED
1202	7500
1201	4000

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CONCLUSION

For all of the foregoing reasons, the applicants respectfully request that the rejections should now be withdrawn and an early notice of all pending claims is respectfully solicited.

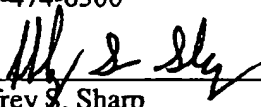
Should the Examiner wish to discuss any issues of form or substance in order to expedite allowance of the pending application, he is invited to contact the undersigned attorney at the number indicated below.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 13-2855. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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By:


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February 22, 2005